

Facts to be Found:

1. Did the Vice Mayor call the City Manager during the Public Safety operation?
2. Did the call challenge the action taken during the Public Safety operation?
3. Did a chilling effect result from the actions of the Vice Mayor?
4. Did the call to the City Manager ultimately result in contacting the officer in charge of the scene?
5. Did the Vice Mayor embark on an independent investigation/inquiry?
6. What was the nature of the investigation/inquiry?
7. Were the written questions supplied several days after the incident "inflammatory"?
8. Could the written questions be reasonably construed to be designed to influence future actions by the officers in question?
9. Could the written questions be reasonably construed to accuse the officers on the scene to have overreacted to the operation of August 31st?
10. Could the written questions be reasonably construed to accuse the officers on the scene of misrepresenting material facts about the event in the following downtown status report?
11. Did the actions of the Vice Mayor and the City Manager circumvent the Charter by forwarding questions to the Director of Public Safety?
12. Did the City Manager's direction to the Director of Public Safety directly lead to alleged violations of the Peace Officer's Bill of Rights?
13. Did City Management act as agents of the Vice Mayor during questioning of the officers?
14. Did the Vice Mayor, in conjunction with the City Manager, attempt to influence future police actions on behalf of a third party?
15. Is it appropriate for any Councilmember to conduct an investigation and/or inquiry of this kind?
16. Was it appropriate for the Vice Mayor, or any other Councilmember, to call the City Manager concerning an ongoing Public Safety operation?
17. Was it appropriate for the City Manager to respond to the Vice Mayor in the way that he did?